

REMARKS

The Applicants have now had an opportunity to carefully consider the comments set forth in the Office Action that was mailed February 17, 2010. The clarity of the Response to Arguments is noted with appreciation.

Nevertheless, all of the rejections are respectfully traversed.

Additionally, it is respectfully submitted that the Office Action is not completely responsive and appears to introduce **new grounds** of rejection in the Response to Arguments. Accordingly, it is respectfully submitted that for those reasons, the **finality** of the present Office Action is **premature**. Withdrawal of the finality, re-examination and reconsideration of the application are respectfully requested.

The Office Action

In the Office Action that was mailed February 17, 2010:

a Response to Arguments was provided;

claims 26-30, 32-35, 36-40 and 42-44 were rejected under 35 USC §103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0015559 A1 to Goldstein ("Goldstein"); and

claims 31 and 41 were rejected under 35 USC §103(a) as being unpatentable over Goldstein in view of U.S. Patent Application Publication No. 2003/0014650 A1 by Freed et al. ("Freed").

The Office Action Is Not Completely Responsive and Withdrawal of the Finality is Requested

Section 707.07(F) of the MPEP asserts that in order to provide a complete application file history and to enhance the clarity of the prosecution history record, an Examiner **must** provide clear explanations **of all actions** taken by the Examiner during prosecution of an application. Additionally, the same section asserts that "where the Applicant traverses any rejection, the Examiner should, if he or she repeats the rejection, take note of the Applicant's argument and answer the substance of it."

In the present case, the Office Action repeats the rejections of **claims 26-30, 32-35, 36-40 and 42-44** that were presented in the previous Office Action. While the

Office Action takes note of some of the arguments presented in Applicants' Response D, which was filed electronically on November 9, 2009, it is respectfully submitted that the present Office Action does not take note of all of those arguments and does not respond to the substance of all of those arguments.

For example, with regard to the arguments presented on pages 7-9 of Applicants' Response D in support of **claims 7 and 8**, it is respectfully submitted that, at page 13 of the Office Action, the Response to Arguments provides only an improper omnibus (MPEP 707.07(d)) response that comments related to **claim 26** "also applies to the arguments regarding the limitations of **claims 27 and 28.**"

However, it is respectfully submitted that dependent **claims 17 and 28** recite additional details which are not recited in **claim 26**. Additionally, if the Office had responded to the arguments presented on pages 7-9, it is respectfully submitted that the Office would have more clearly understood that the analogies drawn by the Office between the cited aspects of Goldstein and the elements of **claims 26-28** do not hold. It is respectfully submitted that this inability to sustain the analogies would have caused the Office to issue a Notice of Allowance instead of the present final Office Action.

For at least the foregoing reasons, the finality of the present rejections is premature and withdrawal thereof is respectfully requested.

For example, with regard to **claim 27**, the Applicants pointed out that the cited discussion at lines 17-24 of paragraph 33 of routing a message to a terminal that is used by a customer service representative who is familiar with the design of the apparatus **does not disclose or suggest** a second interchangeable device model as recited in **claim 27**.

Furthermore, Applicants pointed out that the depiction of a customer service system 55 and the indication at cited lines 1-5 of paragraph 33 of a customer service representative identifying a product or portion of a product from a product identifier **does not disclose or suggest** a device model agent reading a second interchangeable device model, or a device model agent that is operative to **read a second interchangeable device model** and access information in the at least one second respective unit of the second product.

It is respectfully submitted that by overlooking these arguments related to **claim 27**, the Office overlooked the interchangeable nature of the device model and the feature of the system and methods of the present application of the ability of a device model agent, a reusable software module, to provide communication services for a wide variety of devices in a family of devices. **Additionally**, the Office overlooks the distinction between providing a human customer service representative and a reusable software module in the form of a device model agent capable of reading a device model, for example, included in a device.

With regard to **claim 28**, the Applicants pointed out that the additional system element (i.e., at least one services provider that is operative to exchange information with a services host server is not anticipated by the depiction of providing a customer service representative, and discussion thereof provided by reference numeral 107 of Fig. 4 and lines 1-5 of paragraph 33 of Goldstein.

It is respectfully submitted that by failing to take note and/or respond to the substance of those arguments, the Office chose to overlook significant distinctions between the methods and systems of Goldstein and the methods and systems of the present application. Accordingly, **the finality** of the Office Action is **premature**, and withdrawal thereof is respectfully requested.

With regard to **claim 29**, rather than take note of Applicants' arguments that the depiction of cited memory 25 and processing element 32 of Fig. 2 **does not disclose or suggest** the device model agent implemented as recited in **claim 29**, the Office Action makes reference to **new grounds of rejection** related to routing device 85. In this regard, it is noted that Fig. 2 and the portions cited therein are of aspects of electrical apparatus 15 which is separate and remote from customer service 33 of Goldstein, which encompasses the routing device 85 of Goldstein.

It is respectfully submitted that since MPEP §707 and 37 CFR §1.104(c)(2) require that, "in rejecting claims for want of novelty or obviousness, the Examiner **must** cite **the best** references at his or her command and that when a reference is complex or shows or describes inventions other than that claimed by the Applicant, **the particular part relied on must be designated as nearly as practicable.**"

This new reliance of the Office Action on aspects of a completely different component of the system of Figs. 1 and 2 of Goldstein to support the rejection of **claim 29** amounts to a **new grounds of rejection**. To assert otherwise is to completely ignore MPEP §707 and its reference to 37 CFR §1.104(c)(2) and to render that portion of the rules meaningless.

For at least the foregoing additional reasons, the **finality** of the present rejection is **premature** and withdrawal thereof is respectfully requested.

Additionally, the Response to Arguments asserts that the routing device 85 of Goldstein reads on the recitation in **claim 29** of at least one respective device model agent implemented as a process included in the at least one respective unit and implemented within a physical add-on module that is connected to the respective at least one unit. In this regard, the Office Action asserts that the network connection depicted at 42 in Goldstein provides the connection recited in **claim 29**.

However, it is respectfully submitted that one of ordinary skill in the art would understand that the recitation of a physical add-on module that is connected to the respective at least one unit refers to a physical connection, such as that depicted at 115 in Fig. 12 of the present application and discussed, for example, in paragraphs 54-56 of the present application. Accordingly, Goldstein does not disclose or anticipate the device model agent of **claim 26** or the particular embodiment thereof recited in **claim 29**.

With regard to **claim 30**, the Response to Arguments again cites **new grounds of rejection** (i.e., paragraphs 16 and 19).

For at least the foregoing additional reasons, the **finality** of the present Office Action is **premature** and withdrawal thereof is respectfully requested.

Furthermore, paragraph 16 indicates that Goldstein generally pertains to an apparatus for enabling users to quickly and efficiently contact and provide information to a customer services representative. Allegedly, as a result, the user is able to quickly and easily receive advice on the operation or configuration of the apparatus. It is respectfully submitted that paragraph 16 of Goldstein **does not disclose or suggest** the system of **claim 26** further including an application server that is operative to receive application software modules from at least one services provider and make the

software application modules available for transmission to and installation in the at least one respective **device model agent** for performing new services in conjunction with the at least one respective unit, as is recited in **claim 30**.

Newly cited paragraph 19 provides an overview of Fig. 2 and simply indicates that apparatus 15 includes control logic 21 which can be implemented in software, hardware or a combination thereof and that in a preferred embodiment as illustrated in Fig. 2, the control logic 21, along with its associated methodology, is implemented in software and stored in memory 25.

It is respectfully submitted that paragraphs 16 and 19, **contrary to the assertions of the Response to Arguments**, do not disclose “where the route analysis and correction of software issue incorporate installing a fix or patch or upgrade for the system across the network”, and this assertion represents a **clear error** of the Office Action. **Support for this assertion is respectfully requested.**

Moreover, even if the cited paragraphs included support for this assertion, such support would not disclose or suggest the system of **claim 26** further including the application server operative to receive application software modules from at least one services provider and make the software application modules available for transmission to and installation in at least one respective device model agent, as is recited in **claim 30**. This is especially true since paragraph 19 addresses Fig. 2 and the depiction of an apparatus 15 included therein and the Response to Arguments now finds the router 85 to be the element that is allegedly analogous to the device model agent recited in the claims and since paragraphs 16 and 19 do not disclose or suggest modifications to the routing device 85 of the system of Goldstein.

For at least the foregoing additional reasons, the subject matter recited in the claims of the present application is not anticipated or obvious in light of Goldstein.

With regard to **claims 31** and **41**, the Response to Arguments asserts that the secure socket layer of Freed is connected between a client and a server “that can be the device model agent as mentioned in the claims”.

However, it is respectfully submitted that nothing in cited lines 2-6 of paragraph 42 of Freed discloses or suggests the device model agent of **claim 26** or that such a device model agent is implemented as a device proxy or implemented in a device proxy

within an application server. In this regard, it is respectfully submitted that the Response to Arguments appears to be applying impermissible hindsight reasoning based on information gleaned only from the present application.

Accordingly, again, the subject matter claimed in the present application is not anticipated or obvious in light of Goldstein and Freed.

Additionally, it is respectfully submitted that the Response to Arguments does not take note of or answer the substance of the Applicants' argument that while the cited lines include the word --proxy-- and indicate that a secure socket layer device acts as a proxy **for one or more servers**, that does not disclose or suggest that a device model agent is implemented as a device proxy or implemented in a device proxy within an application server or that the Office has not met its burden of presenting a *prima facie* case of obviousness.

For at least the foregoing additional reasons, the **finality** of the present Office Action **is premature**.

With regard to **claim 32**, the Response to Arguments submits that lines 16-20 of paragraph 28 of Goldstein discloses that the terminals include communication interface that can be modem or other type of conventional transmitter or receiver that would allow terminals to exchange data with the network. Allegedly, it is also mentioned that the communication interface may be wireless or wired.

However, it is respectfully submitted that this **does not take note of** or address the substance of the assertion of the Applicants that the cited portion of Goldstein **does not disclose or suggest** that a customer service terminal is not an application programming interface. Moreover, this Response to Arguments **does not take note of** or **respond to the substance** of the assertion that the cited portion of paragraph 28 does not disclose or suggest that the customer interface terminal is operative to select one or more communication means from an available set of communication means.

For at least the foregoing additional reasons, the **finality** of the present Office Action is **premature** and Goldstein **does not disclose or suggest** the subject matter of the claims in the present application.

With regard to **claim 33**, the Office Action cites **new grounds of rejection** related to paragraphs 22 and 14 where the previous rejection was based on paragraph 41 (see page 9 of the Office Action of August 10, 2009).

For at least the foregoing reasons, the **finality** of the present Office Action is **premature** (MPEP §707; 37 CFR §1.04(c)(2)).

Additionally, the Response to Arguments section stipulates that the particular protocols recited in **claim 33** are not mentioned by Goldstein. In this regard, the Response to Arguments appears to assert, based on impermissible hindsight reasoning, that since Goldstein does mention a modem, that is enough to make the use of the particular protocols recited in **claim 33** obvious.

Even if such reasoning were appropriate, it is respectfully submitted that the assertion misses the point of what is recited in **claim 33**. **Claim 33** recites the system of **claim 32** wherein the application programming interface supports communication via at least ten listed protocols. It is respectfully submitted that Goldstein **does not disclose or suggest** an application programming interface. Moreover, Goldstein **does not disclose or suggest** an application programming interface that is so flexible as to support at least the ten listed protocols recited in **claim 33**.

For at least the foregoing additional reasons, the **finality** of the present Office Action is **premature** and the subject matter recited in the claims of the present application is **not anticipated and is not obvious** in light of Goldstein.

With regard to **claim 34**, where the previous Office Action cited lines 5-10 of paragraph 47, the Response to Arguments asserts that Goldstein also discloses that customer service terminal diagnoses and corrects optional errors or problems with apparatus that can incorporate installing a new software or program into the apparatus of the client device and relies on **new grounds of rejection** allegedly found in paragraphs **16 and 19** to support this assertion.

However, **claim 34** recites: the system of **claim 26** wherein the device model agent is further operative to at least one of: add a new service received from an applications server to the device model agent, start a service running and stop a service. It is respectfully submitted that paragraph 16 indicates that the invention of Goldstein generally pertains to an apparatus for enabling users to quickly and efficiently

contact and provide information to a customer service representative, thereby enabling the customer service representative to diagnose and possibly correct operational errors or problems with the apparatus. As a result, the user is able to quickly and easily receive advice on the operation or configuration of the apparatus. Paragraph 16 does disclose or suggest a device model agent. Paragraph 16 **does not disclose or suggest** an applications server. Paragraph 16 **does not disclose or suggest** that a device model agent is operative to add a new service received from an applications server to the device model agent. Paragraph 16 **does not disclose or suggest** a device model agent is operative to start a service running or to stop a service.

Paragraph 19 indicates that Fig. 2 depicts a more detailed view of the apparatus 15. As shown by Fig. 2, the apparatus 15 includes control logic 21 that controls the operation of the apparatus 15. The control logic can be implemented in software, hardware or a combination thereof. In the preferred embodiment, as illustrated by way of example in Fig. 2, the control logic along with its associated methodology is implemented in software and stored in memory 25.

It is respectfully submitted that nothing in paragraph 19 discloses a device model agent. Nothing in paragraph 19 discloses or suggests an application server. Nothing in paragraph 19 discloses a device model agent is further operative to add a new service received from an application server to the device model agent. Nothing in paragraph 19 discloses a device model agent is operative to start a service running or to stop a service.

For at least the foregoing reasons, the present Office Action is not completely responsive, the present Office Action includes new grounds of rejection that were not necessitated by the Applicants' amendment or information disclosure statement and, therefore, the **finality** of the present Office Action is **premature** and withdrawal thereof is respectfully requested.

Moreover, for at least the foregoing reasons, the subject matter recited in the claims of the present application is not anticipated and is not obvious in light of Goldstein and/or in light of Goldstein in combination with Freed.

The Claims Are Not Obvious

Claims 26-30, 32-40 and 42-44 were rejected under 35 USC §103(a) as being unpatentable over Goldstein.

With regard to the interchangeable device model recited in independent **claim 26**, the Office Action cites portions of paragraph 33 of Goldstein.

However, paragraph 33 indicates that a product identifier is included in a message that is transmitted to a customer service representative and that a routing device may be configured to ensure that the message is routed to a terminal that is used by a customer service representative that is familiar with the design of the apparatus. Paragraph 33 **does not disclose or suggest** an interchangeable device model. While paragraph 33 indicates that a product identifier may be a model number, that does not disclose or suggest an interchangeable device model of the type recited in **claim 26**. For example, the device model of **claim 26** includes identifications of classes of information that can be communicated to and from each of the products of a family of products. Furthermore, the device model of **claim 26** includes mappings indicating how the classes of information can be communicated to and/or from the first product. It is respectfully submitted that a customer service representative is not a product. Additionally, it is noted that the assertions of the Office Action appear to be inconsistent. The assertions first appear to draw an analogy between the apparatus 15 of Goldstein and the device or first product recited in **claim 26**. Then the Office Action refers to a mapping to the terminal of the customer service representative of Goldstein as if it were analogous to the device or first product recited in **claim 26**. It is respectfully submitted that this inconsistency is symptomatic of the fact that Goldstein **does not disclose or suggest** the types of components recited in **claim 26** or the inter-relationships of components recited in **claim 26** of the present application.

With regard to the recitation of at least one respective device model agent in **claim 26**, the Office Action cites reference numeral 107 of Fig. 4 of Goldstein.

However, reference numeral 107 identifies a step described as: “provide customer service representative with information necessary to diagnose user’s problem.” It is respectfully submitted that the mere indication that a customer service representative is provided with information **does not disclose or suggest** that the information is provided to the customer service representative by at least one device

model agent that is operative to read the interchangeable device model and access information in the at least one respective unit and to provide information to the at least one respective unit according to the interchangeable device model.

For at least the foregoing reasons, **claim 26**, as well as **claim 27-35**, which depend therefrom, is not anticipated and is not obvious in light of Goldstein.

With regard to the recitation of a services host server, the Office Action cites reference numeral 55 of Fig. 1 and paragraph 33 of Goldstein.

However, neither Fig. 1 nor the cited paragraph disclose or suggest that the cited customer service system is operative to exchange information with the at least one respective device model agent as is recited in **claim 26**. Furthermore, it is respectfully submitted that the Office is applying impermissible hindsight reasoning to read the vague discussion of a model number of the apparatus or any other type of information that allows a customer service representative to identify the apparatus or a component of the apparatus included in the first sentence of paragraph 33 as disclosing or suggesting the particular details recited in the description of the services host server of **claim 26** including unit configuration parameters, unit status information, available upgrade information, selected upgrade information, selected downgrade information, available update information, requested update information, an error message, and service request information.

For at least the foregoing additional reasons, **claim 26**, as well as **claims 27-35**, which depend therefrom, is not anticipated and is not obvious in light of Goldstein.

With regard to **claim 27**, the Office Action cites lines 17-24 of paragraph 33 of Goldstein in regard to the recitation in **claim 27** of a second interchangeable device model for a second product selected from the family of device models wherein the second interchangeable device model includes mappings indicating how the classes of information can be communicated to and/or from the second product.

However, the cited portion of paragraph 33 indicates that a routing device, based on the product identifier transmitted from the apparatus, may be configured to ensure that the message from the apparatus is routed to a terminal that is used by a customer service representative who is familiar with the design of the apparatus or of the component identified by the product identifier. It is respectfully submitted that

discussion of routing a message to a person that is familiar with a product identified in the message **does not disclose or suggest** a second interchangeable device model as recited in **claim 27**.

For at least the foregoing additional reasons, **claim 27** is not anticipated and is not obvious in light of Goldstein and Khemani.

With regard to the recitation of at least one respective copy of the device model agent, the Office Action again cites reference numeral 55 of Fig. 1 and paragraph 33, lines 1-5.

In this regard, arguments similar to those submitted above with regard to **claim 26** and the recitation of the device model agent therein are submitted in support of **claim 27**. The depiction of the customer service system 55 in Fig. 1 and the indication that a product identifier is included in a message included in the cited portion of paragraph 33 **does not disclose or suggest** at least one respective copy of the device model agent that is operative to read the second interchangeable device model and access information in the at least one second respective unit of the second product, as is recited in **claim 27**.

Claim 28 recites at least one service provider that is operative to exchange information with the services host over at least one communications link and to provide at least one of: updated software, software upgrades, billing services, maintenance services and repair services for the at least one unit according to at least one of the unit's status information, the selected upgrade information, the requested update information, the error message and the service request information received from the at least one unit.

In this regard, the Office Action again relies on reference numeral 107 of Fig. 4 and lines 1-5 of paragraph 33 of Goldstein.

However, **claim 28** recites an additional system element, i.e., at least one services provider. It is respectfully submitted that depiction of providing a customer service representative with information necessary to diagnose a user's problem does not disclose or suggest the services provided or recited in **claim 28**. Lines 1-5 of paragraph 33 indicate that a product identifier included in a message may be a model number or other type of identifying information. It is respectfully submitted that the

indication that a product identifier may be a model number does not disclose or suggest at least one services provider as recited in **claim 28**. Moreover, it is respectfully submitted that **only impermissible hindsight reasoning** could lead one to read the cited portions of Goldstein as disclosing or suggesting the at least one services provider recited in **claim 28**.

For at least the foregoing additional reasons, **claim 28** is not anticipated and is not obvious in light of Goldstein.

With regard to **claim 29**, the Office Action only cites reference numerals 25 and 32 of Fig. 2 of Goldstein.

However, nothing in the depiction of memory 25 and processing element 32 of the electric apparatus of Fig. 2 discloses or suggests that a device model agent is at least one of implemented as a process included in the at least one respective unit and implemented within a physical add-on module that is connected to the respective at least one unit. Fig. 2 does not disclose or suggest a device model agent. Nothing in the depiction of generic control logic 21 or generic App. Program 34 discloses or suggests a device model agent such as is recited in **claim 26**.

Moreover, it is respectfully submitted that only impermissible hindsight reasoning would lead one to interpret the depiction of memory 25 and processing element 32 of Fig. 2 as disclosing or suggesting a device model agent implemented as recited in **claim 29**.

For at least the foregoing additional reasons, **claim 29** is not anticipated and is not obvious in light of Goldstein.

With regard to **claim 30**, the Office Action cites **new grounds of rejection** based on paragraph 16, lines 4-9 and paragraph 19.

However, cited paragraph 16 clearly indicates that the invention of Goldstein generally pertains to an apparatus for enabling users to quickly and efficiently contact and provide information to a customer service representative, thereby enabling the customer service representative to diagnose and possibly correct operational errors or problems with the apparatus. As a result, allegedly, the user of the system of Goldstein is able to quickly and easily receive advice on the operation or configuration of the apparatus.

It is respectfully submitted that paragraph 16 **does not disclose or suggest** an application server that is operative to receive application software modules from at least one services provider and make the software application modules available for transmission to and installation in the at least one respective device model agent for performing new services in conjunction with the at least one respective unit, as recited in **claim 30**. Clarification of the assertions of the Office Action is respectfully requested.

Cited paragraph 19 indicates that Fig. 2 depicts a more detailed view of the apparatus 15. As shown by Fig. 2, the apparatus 15 includes control logic 21 that controls the operation of the apparatus 15. The control logic 21 can be implemented in software, hardware, or a combination thereof. In the preferred embodiment, as illustrated by way of example in Fig. 2, the control logic 21, along with its associated methodology is implemented in software and stored in memory 25.

It is respectfully submitted that paragraph 19 **does not disclose or suggest** an application server. It is respectfully submitted that paragraph 19 **does not disclose or suggest** that an application server is operative to receive application software modules from at least one services provider. It is respectfully submitted that paragraph 19 **does not disclose or suggest** an application server that is operative to make software application modules available for transmission to and installation in at least one respective device model agent for performing new services in conjunction with at least one respective unit.

It is respectfully submitted that paragraph 19 does not even indicate that any aspect of the apparatus 15 can be updated. Moreover, the cited portion of paragraph 19 does not indicate that the apparatus includes a device model agent. Still further, it is noted that other portions of the Office Action draw an analogy between the device model agent of the claims of the present application and the routing device 85 of Goldstein. It is respectfully submitted that paragraphs 16 and 19 **do not disclose or suggest** an application server that is operative to receive application software modules from at least one services provider and make the software application modules available for transmission to and installation in the routing device of Goldstein.

Clarification of the assertions of the Office Action is respectfully requested.

For at least the foregoing additional reasons, **claim 30** is not anticipated and is not obvious in light of Goldstein.

With regard to **claim 32**, the Office Action cites lines 16-20 of paragraph 28 of Goldstein.

However, the cited portion indicates that the customer service terminal 52A includes a communications interface that allows the terminal 52A to exchange data with the network 42. The interface may be wireless or non-wireless.

However, **claim 32** recites an application programming interface. It is respectfully submitted that Goldstein **does not disclose or suggest** that the customer service terminal 52A is an application programming interface. Furthermore, **claim 32** indicates that the application programming interface is operative to select one or more communication means from available communication means. It is respectfully submitted that the cited portion of paragraph 28 **does not disclose or suggest** that the customer service terminal is operative to select one or more communication means from an available set of communication means.

For at least the foregoing additional reasons, **claim 32** is not anticipated and is not obvious in light of Goldstein.

With regard to **claim 33**, the Office Action cites lines 4 and 5 of paragraph 41 of Goldstein.

However, the cited lines indicate that the apparatus 15 and terminal 52 may exchange data via internet protocol (IP). It is respectfully submitted that the cited portion **does not disclose or suggest** an application programming interface. Furthermore, the cited portion does not disclose or suggest an application programming interface that supports communication by at least HTTP, HTTPS, JMS, email, 10BaseT, 100BaseT, 10Base2, Modem, IEEE 802.11X, and Bluetooth, protocols as recited in **claim 33**.

For at least the foregoing additional reasons, **claim 33** is not anticipated and is not obvious in light of Goldstein.

With regard to **claim 34**, the Office Action cites lines 5-10 of paragraph 47.

However, the cited portion indicates that control logic 21 may be configured to transmit portions of diagnostic data upon request by either the user or the customer

service representative. Furthermore, the cited section indicates, the control logic 21 may be configured to respond to commands transmitted from the terminal 52A just as if the commands were entered by the user of the apparatus 15. It is respectfully submitted that the cited portion does not disclose or suggest **a device model agent** or that **a device model agent** is further operative to at least one of: add at new service received from an applications server to the device model agent, start a service running and stop a service, as recited in **claim 34**.

The Office Action asserts that **claims 36-40** and **42-44** are system claims corresponding to system **claims 26-34**, respectively, and are rejected under the same reason set forth in the rejection of **claims 26-34**, above.

To the extent that this assertion is accurate, arguments similar to those submitted in support of **claims 26-34** are submitted in support of **claims 36-40** and **42-44**.

Additionally, it is noted that **claims 36-40** and **42-44** are directed toward a system for remotely supporting a family of document processing products and recite aspects particular thereto. For example, **claim 36** recites a services host server that is operative to exchange information including at least one of: unit billing meter configuration parameters, billing meter readings, unit document processor consumables supply information, available document processor functions that can be added to the unit, selected document processor functions to be added to the unit, selected document processor functions to be deleted from the capabilities of the unit.

Claim 37 also recites aspects particular to a second document processing product.

Claim 38 recites aspects related to the unit document processor consumables status information and the selected document processing functions to be added to the unit.

For at least the foregoing additional reasons, **claims 36-40** and **42-44** are not anticipated and are not obvious in light of Goldstein and Khemani.

Claims 31 and **41** were rejected under 35 USC §103(a) as being unpatentable over Goldstein in view of Freed.

Claims 31 and 41 make reference to at least one respective device model agent being at least one of: implemented as a device proxy and implemented in a device proxy within an applications server.

In this regard, the Office Action stipulates that this subject matter is not disclosed by Goldstein and cites lines 2-6 of paragraph 42 of Freed.

However, while the cited lines include the word --proxy-- and indicate that a secure sockets layer (SSL) device **acts as a proxy for one or more servers** and that a client recognizes the device as the server, the cited portion of Freed **does not disclose or suggest** that a device model agent is either implemented as a device proxy or implemented in a device proxy within an application server, as is recited in **claims 31 and 41**.

For at least the foregoing reasons, **claims 31 and 41** are not anticipated and are not obvious in light of Goldstein and Freed.

Additionally, the Office **has not met its burden** of presenting a *prima facie* case of obviousness. For example, in an apparent effort to justify the combination, the Office Action asserts that "one of the ordinary skilled in the art would be motivated to be able to configure a device to act as a proxy or the client can recognize the device as the server."

As best as this can be understood, it is an assertion that one would be motivated to make the suggested combination. However, it does not suggest a reason why someone would be motivated to make this combination. Accordingly, the Office has not met its burden of presenting a *prima facie* case of obviousness, and **claims 31 and 41** are not anticipated and are not obvious in light of Goldstein and Freed.

Still further, it is respectfully submitted that the only motivation for combining subject matter from lines 2-6 of paragraph 42 of Freed with subject matter from Goldstein is information gleaned only from the present application. Accordingly, the rejection of **claims 31 and 41** is based on impermissible hindsight reasoning and again, **claims 31 and 41** are not anticipated and are not obvious in light of Goldstein and Freed.

Telephone Interview

In the interests of advancing this application to issue the Examiner is invited to telephone the undersigned to discuss the foregoing or any suggestions that the Examiner may have to place the case in condition for allowance.

CONCLUSION

Claims 26-44 remain in the application. For at least the foregoing reasons, the application is in condition for allowance. Accordingly, an early indication thereof is respectfully requested.

☒ Remaining Claims, as delineated below:

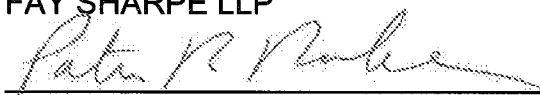
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR		(3) NUMBER EXTRA
TOTAL CLAIMS	19	- 25 =	0
INDEPENDENT CLAIMS	2	- 4 =	0

☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account 24-0037.

Respectfully submitted,

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